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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/123,486	07/28/98	BINDER	Y 1332/1

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EXAMINER

TRAN, M

ART UNIT	PAPER NUMBER
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2731

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DATE MAILED: 03/30/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/123,486

Applicant(s)

BINDER

Examiner

Maikhanh Tran

Group Art Unit

2731

☒ Responsive to communication(s) filed on Jul 28, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-34 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-3, 12-14, 19, 21, and 28-31 is/are rejected.

☒ Claim(s) 4-11, 15-18, 20, 22-27, and 32-34 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Objections

1. Claim 17 is objected to because of the following informalities:

In claim 17, line 1, "wheat" should be changed to -- wherein at-- .

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, ¹²⁻¹⁴19, 21, 28 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Sambamurthy et al (U.S. 5,311,114).

- As to claims 1-2, Sambamurthy et al in figs. 1, 2 and 5 disclose a LAN network for data communication, sensing, and control comprising a plurality of serial intelligent cells (12, 14, 16, 18 and 20) interconnected exclusively by electrically-conducting media into at least one communicating pair, said LAN network encompasses all limitations as recited in claims 1 and 2 (see fig. 1).

- As to claim 3, the topology in Sambamurthy et al is a circular topology (between the HUB and one of the nodes 12, 14, 16 and 18) .

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- As to claims 12-14, it is inherent that the LAN network in Sambamurthy et al. covers all limitations recited in these claims.

- As to claim 19, it is inherent that at least one of said plurality of serial intelligent cells in Sambamurthy et al receives electrical power locally.

- As to claim 21, at least one of said plurality of serial intelligent cells (HUB 20) comprises a line interface, a modem (not shown) , a control block and a power supply (not shown).

- As to claim 28, at least one of said plurality of serial intelligent cells (HUB 20) in Sambamurthy et al further comprises a communications interface (32).

- As to claim 31, it is inherent that the HUB would comprise a telephone interface to make an Internet connection through the telephone line.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sambamurthy et al (U.S. 5,311,114) as applied to claim 21 above, and further in view of Carmi (U.S. 5,311,593).

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Sambamurthy et al disclose a LAN network as discussed in claims 1 and 21 above.

Sambamurthy et al fail to teach that at least one of the cells further comprises a computer bus connector and the network functioning as a computer bus extender. Carmi, in fig. 2, shows that one of the cells in Sambamurthy et al (the HUB) further comprises a computer bus connector and the network functioning as a computer bus extender to enlarge the communications system.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to apply the teaching of Carmi in Sambamurthy et al to enhance the teaching of Sambamurthy et al.

Allowable Subject Matter

6. Claims 4-11, 15-18, 20, 22-27, and 32-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is an examiner's statement of reasons for allowance: the prior art fail to teach limitations recited in these claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Tran whose telephone number is (703) 308-7911. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Maikhanh Tran

March 27, 2000


Jason Chan
Supervisory Patent Examiner
Technology Center 2700